

Exhibit J

MEMORANDUM

PRIVILEGED & CONFIDENTIAL

TO: Michael Avenatti
FROM: Jeffrey Auerbach
SUBJECT: Correspondence with John Slusher @ Nike re Gary Franklin
DATE: March 18, 2019

Michael, please see the following attached documents:

1. Jeffrey Auerbach Email to John Slusher 3/8/19
2. John Slusher's Reply Email to Jeffrey Auerbach 3/11/19
3. Andrew Michaelson @Boies, Schiller, Nike Counsel Bio/Contact Info
4. Auerbach's Memo to the File Re: Phone conversation with John Slusher @ Nike on 3/6/19



From: Slusher, John [REDACTED]@nike.com
Subject: RE: Thanks!
Date: February 11, 2019 at 9:03 AM
To: Jeffrey Auerbach [REDACTED]@bedfordconsultingla.com



Hi Jeff,

Thanks for your note. Due to the seriousness of the matters you raised and how serious we take those situations, I immediately contacted my legal department and they are reviewing. Any additional conversation is best handled by Nike's outside counsel that deals with EYBL matters. You can feel free to contact Andrew Michaelson at Boies Schiller and Flexner in New York. His number is (212) 446-2382.

Thanks. John

From: Jeffrey Auerbach <[REDACTED]@bedfordconsultingla.com>
Sent: Friday, February 8, 2019 5:50 PM
To: Slusher, John <[REDACTED]@nike.com>
Subject: <External>Thanks!

Hi John,

Thanks again for your time and candor when we spoke on Tuesday. It was much appreciated.

Let's talk again early next week. I'd like to get an update. Have a great weekend!

Best,

Jeff

Jeffrey Auerbach
Managing Director
Bedford Consulting
310-499-4949 Off

[REDACTED]
[REDACTED]@bedfordconsultingla.com



BEDFORD CONSULTING

<https://www.bsflp.com/lawyers/andrew-z-michaelson.html>

PARTNER

Andrew Z. Michaelson

New York
 55 Hudson Yards
 20th Floor
 New York, NY 10001
 Phone 212 446 2382



PROFILE

Andrew is an accomplished SEC and white collar defense practitioner who represents clients in government investigations and civil litigation. Andrew has expertise in securities, derivatives, trading, and markets, and is a proven trial lawyer.

Andrew's practice is focused on the representation of companies and individuals under investigation by the Department of Justice, the SEC, the CFTC, state attorneys general, and foreign regulators. He has represented major global financial institutions in investigations by the DOJ, SEC and CFTC; a Fortune 100 company in criminal DOJ investigations involving fraud and international corruption; a major hedge fund and its CEO in an SEC investigation; and, the CFO of a public company in an SEC investigation.

Andrew previously served in government with both the SEC and the U.S. Attorney's Office for the Southern District of New York, where he led the Galleon insider trading investigation and prosecuted numerous securities and wire fraud cases. He served as trial counsel in *U.S. v. Rajaratnam*, the high-profile criminal trial resulting in the conviction of Raj Rajaratnam. Andrew's work as a prosecutor was profiled in the *Wall Street Journal* and *The New Yorker*; and he has spoken about the Galleon case and federal securities law enforcement at Harvard Law School and the NYU School of Law.

Andrew's clients have included HSBC, Barclays, Nike, ValueAct Capital, BNP Paribas, Target and Tudor Investment Corp.

In addition to his white collar work, Andrew also represents clients in civil litigation ranging from RMBS defense work to plaintiff-side opt-out matters.

PRACTICES x

Securities Litigation
 Banking and Financial Services
 Technology
 Cybersecurity and Privacy
 Crisis Management and Government Response
 Global Investigations and White Collar Defense

EDUCATION x

Harvard Law School, J.D., *cum laude*
 Princeton University, A.B., *cum laude*, Politics

ADMISSIONS x

Bars
 New York

AWARDS AND ASSOCIATIONS x

Super Lawyers: New York-Metro 2013-2015, 2017-2018
 Lawdragon's 500 Leading Lawyers in America

GOVERNMENT SERVICE x

Senior Counsel, U.S. Securities and Exchange Commission, Division of Enforcement
 Special Assistant U.S. Attorney, Office of the U.S. Attorney, Southern District of New York

EXPERIENCE

Andrew has led or co-led the following significant matters:

- Representing HSBC in various matters before the SEC and DOJ, including a civil DOJ investigation into RMBS issuance and an SEC investigation into potential market manipulation
- Representing Barclays in connection with a DOJ and CFTC investigation into alleged manipulation of a benchmark rate; multiple SEC investigations relating to potential insider trading, fraud, and market manipulation; and CFTC investigations relating to insider trading and valuation
- Representing Theranos in connection with SEC and DOJ investigations
- Serving as lead counsel to ValueAct in connection with an unprecedented antitrust litigation filed by the DOJ relating to Hart-Scott-Rodino's "Investment-Only Exemption"
- Serving as lead counsel for HSBC in civil litigation filed by *FHFA* relating to RMBS issuance
- Serving as trial counsel for the government in *U.S. v. Rajaratnam*, which resulted in the criminal conviction of Raj Rajaratnam on numerous counts of insider trading
- Representing head trader at hedge fund with approx. \$20 bn in AUM in SEC and Internal investigation that resulted in no action
- Representing individual wealth management adviser in Internal investigation that resulted in no action

PUBLICATIONS & PRESENTATIONS

The Hart-Scott-Rodino Act's First Amendment Problem, Cornell Law Review (with Scott Gant and Ted Normand) (2017)

Panelist: *Global Investigations, FCPA & Fraud*, International Legal Alliance Summit, New York (June, 2017)

Panelist: *Anatomy of an Insider Trading Investigation*, SIFMA C&L Annual Seminar, San Diego (March, 2017)

Panelist: *Lessons from Developments in US Regulation and Litigation*, De Pardieu Brocas Maffei Reception, Paris (September, 2016)

Panelist: *Hot Button Enforcement Issues for Private Funds*, PLI: Hedge Fund and Private Fund Enforcement & Regulatory Developments 2015, New York (November, 2015)

CLERKSHIPS

x

Hon. Sarah S. Vance, U.S. District Court: Eastern District of Louisiana

MEMORANDUM

TO: MEMO TO THE FILE
FROM: Jeffrey Auerbach
SUBJECT: Call with John Slusher @ Nike re: Gary Franklin and CA Supreme
DATE: February 6, 2019

I spoke with John Slusher at Nike today regarding Gary Franklin. I told John I was a good friend and adviser to Gary Franklin, one of Nike EYB's longtime, most respected program directors (14 years with Nike grassroots, 8 with Nike EYB), and I was calling him on Gary's behalf to inform him, Phil (Knight) and Nike about the following:

1. Gary endured workplace bullying and abuse for over 2 years by Nike EYB execs Carlton DeBose (Director) and Jamal James (Manager);
2. There was ongoing corruption and illicit schemes being carried out by DeBose and James and how they brought this corruption into California Supreme, directing Gary to submit fake invoices, make cash and bank-wire payments to handlers and family members of top Nike elite players like DeAndre Ayton and Brandon McCoy. Actions similar to those in the recent DOJ-Adidas case;
3. Gary's one of the good guys, a real community guy, he's never had more than a parking ticket;
4. Gary's suffered a great deal and his program severely harmed by the corruption, the abuse and the aftermath;
5. I told Gary, "John Slusher's the one person I know at Nike who could help him. Let's try to get together with John";
6. Gary now wants Justice. In addition, he's always been loyal to Nike and wants to help the company clean-up EYB, get rid of the corruption and corrupt execs. At which point, John asked, "so what does Justice look like for Gary, firing DeBose and James?" and which I replied "Yes, for starters";

I urged John to meet with Gary. John thanked me for reaching out to him and said the company takes these matters very seriously. He will discuss with Nike's lawyers and get back to me.

